

Rec'd PTO

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Marco Cattaruzza  
Markus Hecker

Serial No.: 10/527,785

Filed: March 11, 2005

For: FUNCTIONAL CORRECTION OF THE -  
786C/T-VARIANCE OF THE HUMAN  
eNOS-GENE

Group Art Unit: UNKNOWN

Examiner: UNKNOWN

Atty. Dkt. No.: DEBE:053US

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NUMBER	EV 414867220
DATE OF DEPOSIT	October 3, 2005

**INFORMATION DISCLOSURE STATEMENT**

**MS MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

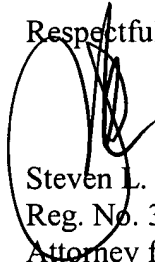
In accordance with 37 C.F.R §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be

an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/DEBE:053US.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



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Attorney for Applicants

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Date: October 3, 2005

Form PTO-1449 (modified)		Atty. Docket No. <b>DEBE:053US</b>	Serial No. <b>10/527,785</b>
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant <b>Marco Cattaruzza</b> <b>Markus Hecker</b>	
		Filing Date: <b>March 11, 2005</b>	Group: <b>Unknown</b>
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.

### Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	WO 01/053537	7/26/01	WIPO			
	B2	WO 99/65928	12/23/99	WIPO			

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Buchwald <i>et al.</i> , "Decoy oligodeoxynucleotide against activator protein-1 reduces neointimal proliferation after coronary angioplasty in hypercholesterolemic minipigs," <i>J. Am. Coll. Cardio.</i> , 39(4):732-738, 2002
	C2	Cattaruzza <i>et al.</i> , "The <sup>-786</sup> variant of the human endothelial nitric oxide synthase gen promoter is a risk factor for coronary heart disease," <i>Pfluegers Archiv. Eur. J. Physiol.</i> , In Abstract P 12-6, 443:S255, 2002.
	C3	Daugherty and Rateri, "T lymphocytes in atherosclerosis: the yin-yang of th1 and th2 influence on lesion formation," <i>Circ. Res.</i> , 90:1039, 2002.
	C4	Dötsch <i>et al.</i> , "Increase of endothelial nitric oxide synthase and endothelin-1 mRNA expression in human placenta during gestation," <i>Eur. J. Ob. Gyn. Reprod. Biol.</i> , 97:163-167, 2001.
	C5	Gimbrone <i>et al.</i> , "Endothelial dysfunction, hemodynamic forces, and atherogenesis <sup>a</sup> ," <i>Ann. N.Y. Acad. Sci.</i> , 920:230, 2000 (Abstract).
	C6	Lienenlücke <i>et al.</i> , "CD154 stimulation of interleukin-12 synthesis in human endothelial cells," <i>Eur. J. Immunol.</i> , 30:2864, 2000.
	C7	Mann <i>et al.</i> , "Ex-vivo gene therapy of human vascular bypass grafts with E2F decoy: the prevent single-centre, randomised, controlled trial," <i>Lancet</i> , 354: 1493, 1999.

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EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

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List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		Applicant <b>Marco Cattaruzza</b> <b>Markus Hecker</b>	
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U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C8	Marsden <i>et al.</i> , "Structure and chromosomal localization of the human constitutive endothelial nitric oxide synthase gene," <i>J. Biol. Chem.</i> , 268(23):17478-17488, 1993.
	C9	Miyamoto <i>et al.</i> , "Replication protein A1 reduces transcription of the endothelial nitric oxide synthase gene containing a-786T→C mutation associated with coronary spastic angina," <i>Hum. Mol. Gene.</i> , 9(18):2629-2637, 2000.
	C10	Moore <i>et al.</i> , "Interleukin-10 and the interleukin-10 receptor," <i>Annu. Rev. Immunol.</i> 19:683-765, 2001.
	C11	Nakayama <i>et al.</i> , "T <sup>-786</sup> →C mutation in the 5'-flanking region of the endothelial nitric oxide synthase gene is associated with coronary spasm," <i>Circulation</i> , 9:2684-2870, 1999.
	C12	Stojanovic <i>et al.</i> , "STAT-1 decoy-oligodeoxynucleotide improvement of mucosal perfusion in a rat model of acute transplant rejection," <i>Chirurgisches Forum</i> , 31:275-277, 2002.
	C13	Wagner <i>et al.</i> , "Cytokine-inducible CD40 expresion in human endothelial cells in mediated by interferon regulatory factor-1," <i>Blood</i> , 99(2):520-525, 2002.
	C14	Wattanapitaykul <i>et al.</i> , "Therapeutic implications of human endothelial nitric oxide synthase gene polymorphism," <i>Trends Pharmacol. Sci.</i> , 22:361, 2000, Abstract.

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